SA No. 164 of 2001
(Old No. 434 of 1982)
Hon'ble B.C. Kandpal, J.
(Delay Condonation Application No. NIL of 2005)

Heard Sri B.D. Upadhyay, learned counsel for the appellant on the application under Section 5 of the Limitation Act and perused the affidavit filed in support thereto.

After perusal of the affidavit filed in support to the application under Section 5 of the Limitation Act, I have no hesitation to come to the conclusion that the delay in filing the appeal has not been properly explained therein.

Accordingly, the application under Section 5 of the Limitation Act is dismissed.

Consequently, the appeal is also dismissed.

(B.C. Kandpal, J.)

11.09.2006
ASWAL